

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HENRY ESPEJO, individually and on behalf of all others similarly situated,

Plaintiff,

v.

SANTANDER CONSUMER USA, INC., an Illinois corporation,

Defendant.

FAYE LEVINS, individually and on behalf of all others similarly situated,

Plaintiff,

v.

SANTANDER CONSUMER USA, INC., an Illinois corporation,

Defendant.

Case No.: 1:11-cv-08987

Honorable Charles P. Kocoras

Magistrate Judge Sidney I. Schenkier

Case No.: 1:12-cv-09431

Honorable Charles P. Kocoras

Magistrate Judge Sidney I. Schenkier

**PARTIES' JOINT MOTION TO EXTEND BRIEFING SCHEDULE ON MOTIONS FOR
CLASS CERTIFICATION AND SUMMARY JUDGMENT, AND FOR EXCESS PAGES**

Plaintiffs Henry Espejo and Faye Levins ("Plaintiffs"), and Defendant Santander Consumer USA, Inc. ("Defendant"), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 7.1, hereby respectfully move the Court to enter an order in the above-captioned cases (1) extending the current briefing schedule on Plaintiff Levins's pending Motion for Class Certification and Defendant's Motion for Summary Judgment by one week, such that the oppositions to the motions shall be due on June 9, 2016 and the replies in support thereof shall be due on June 30, 2016, and (2) granting Defendant leave to

file its response brief to Plaintiff Levins's Motion for Class Certification in excess of 15 pages.

In support of the instant motion, the Parties state as follows:

1. On March 10, 2016, the Court set a concurrent briefing schedule ordering Plaintiffs to file their Motion for Class Certification and Defendant to file its Motion for Summary Judgment by April 21, 2016, with responses to each motion to be filed June 2, 2016, and replies to be filed by June 23, 2016. *See Espejo v. Santander Consumer USA, Inc.*, No. 11-cv-8987, Dkt. 162 (N.D. Ill. Mar. 10, 2016); *Levins v. Santander Consumer USA, Inc.*, No. 12-cv-9431, Dkt. 89 (N.D. Ill. Mar. 10, 2016).

2. Per the Court's Order, the Parties filed their respective motions on April 21, 2016.

3. Since filing their motions, the Parties have worked diligently to review and analyze each other's arguments. Notwithstanding, due to certain professional and other responsibilities, in addition to the complex legal and factual issues involved, the Parties have conferred and agreed that they would benefit from a brief one-week extension of the briefing schedule to finalize and file their respective briefing.

4. The Parties have further conferred and agreed, subject to the Court's approval, that Defendant may file a response to the class certification motion in excess of 15 pages—specifically, not to exceed 32 pages—in order to respond to Plaintiff Levins' enlarged opening memorandum in support of her class certification motion.

5. In light of the foregoing, good cause exists to grant the relief requested herein and it is not sought for any improper purpose, such as delay.

6. Neither Party has previously requested an extension of the briefing schedule for either pending motion.

WHEREFORE, the Parties respectfully request that the Court enter an order (i) granting

the instant motion, (ii) extending the current briefing schedule on Plaintiff Faye Levins's pending Motion for Class Certification and Defendant's Motion for Summary Judgment by one week, such that the oppositions to the motions shall be due on June 9, 2016 and the replies in support thereof shall be due on June 30, 2016, (iii) permitting Defendant to file a response in opposition to Plaintiff Levins's Motion for Class Certification in excess of 15 pages, and not to exceed 32 pages of substance, and (v) ordering such other and further relief as the Court deems reasonable and just.

Respectfully submitted,

HENRY ESPEJO and FAYE LEVINS,
individually and on behalf of all others similarly
situated,

Dated: May 27, 2016

By: s/ Benjamin H. Richman
One of Plaintiffs' Attorneys

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SANTANDER CONSUMER USA, INC.,

Dated: May 27, 2016

By: s/ Henry Pietrkowski
One of Defendant's Attorneys

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SIGNATURE ATTESTATION

Pursuant to Section IX(C)(2) of the General Order on Electronic Case Filing, I hereby attest that the content of this document is acceptable to all persons whose signatures are indicated by a conformed signature (s/) within this e-filed document.

s/ Benjamin H. Richman

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2016, I served the above and foregoing by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the Court's CM/ECF electronic filing system.

s/ Benjamin H. Richman